THE HON'BLE MR JUSTICE B. PRAKASH RAO
AND
THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

WRIT PETITION Nos. 12431 & 15259 of 2006

W.P. No.12431 of 2006

Between:

S.J. Alfred

... PETITIONER

AND

The Commissioner and Director,
Muicipal Administration, A.C. Guards,
Hyderabad & others.

... RESPONDENTS

W.P. No.15259 of 2006

Between:

The Commissioner & Director of
Municipal Administration, A.P., Hyderabad
& another.

... PETITIONERS

AND

Sri S.J. Alfred, & another.

... RESPONDENTS

COMMON ORDER: (PER THE HONOURABLE BPR,J)

Since the two writ petitions arise out of common proceedings, they are taken up together for disposal. The applicant as well as the respondents in the original application before the Administrative Tribunal respectively filed these writ petitions challenging the orders in disposing of the O.A. filed under Section 19 of the A.P. Administrative Tribunal Act, 1985 where the 1st respondent in WP.No.15259 of 2006 is working as Revenue Officer in Gaddiannaram Municipality, sought to assail the impugned proceedings of the suspension dated 07.03.2006.

Though several contentions sought to be raised, however, nothing has been elicited from the merits. We are not inclined to go into the same. However, having regard to the direction given by the Tribunal to complete the disciplinary proceedings initiated against the applicant, within a period of two months from the date of receipt of the order and if the respondent could not complete the enquiry within the stipulated time, they shall reinstate the applicant into service, the original applicant as well as the respondents are aggrieved.

Having heard to the counsel and also perused the material, we see that normally the courts and the Tribunal did not interdict any proceedings of suspension pending enquiry. It is always open for the petitioner-applicant to file appropriate explanation. However, the main grievance of the petitioner is that when the preliminary enquiry is not yet completed, continuation of suspension is wholly unsustainable. Having regard to the same, the order of the Tribunal that the

disciplinary proceedings initiated against the applicant should be completed within a period of two months from the date of receipt of the order is modified and the same shall be read as completion of the preliminary enquiry for the purpose of taking further steps in process of disciplinary action, to be completed within a period of two months from the date of receipt of a copy of this order.

It is needless to mention that continuation of the petitioner in WP.No.12431 of 2006 shall be subject to the outcome of the preliminary enquiry and the petitioners in WP.No.15259 of 2006 shall pass orders accordingly.

With the above direction the writ petitions are disposed of. No costs.

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B. PRAKASH RAO, J

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RAMESH RANGANATHAN, J

Date: 27.07.2006
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